

BILL NO. Z-73-12- 10

ZONING MAP ORDINANCE NO. Z- 04-74

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FFl.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

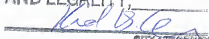
SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. FFl referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of Lot Number 18 of Edsall's Subdivision of LaGro Reserve in Township 30 North, Range 12 East, Allen County, Indiana, by metes and bounds described as follows, to-wit:

Commencing on the east line of said lot at a point 99.4 feet north of its intersection by the North line, produced eastward, of Lot Number 1 of Washington Place Addition as recorded in Plat Book 15, page 134, in the office of the Recorder of said County; thence north on the east line of said Lot Number 18, a distance of 204.07 feet to the point of its intersection by the center line of the public highway known as the Upper Huntington Road; thence southwesterly on the center line of said highway, 287.0 feet; thence south and parallel to the east line of said Lot Number 18 a distance of 140 feet; thence northeasterly to the point of beginning; subject to the part thereof occupied by the U.S. Highway #24 and also subject to a five (5) foot easement along the west line of said described tract for the purpose of utility lines above ground and sewer for drainage.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 12/11/73

Charles W. Wisterman
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~NOT~~) by the following vote:

	AYES <u>8</u>	NAYS <u>1</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, V.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

DATE: 4-9-74

Charles W. Wisterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 3-04-74 on the 9th day of April, 1974.

Charles W. Wisterman
CITY CLERK

ATTEST: (SEAL)

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the ^{acting city controller} Mayor of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 4:00 o'clock A. M., E.S.T.

Charles W. Wisterman
CITY CLERK

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A. M., E.S.T.

Edward G. Kammler
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 11, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-12-10; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

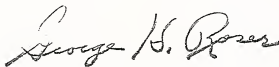
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 18, 1974;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1974.

Certified and signed this
27th day of March, 1974.



George H. Roser
Secretary

*Head - Bacter or Wernish
Apr. 9*

Bill No. Z-73-12-10

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. FF1.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
William T. Hinga
Paul M. Burns
Donald J. Schmidt

DATE 4-9-74 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

N^o 239

GENERAL FUND

FT. WAYNE, IND., Nov 20 19 73RECEIVED FROM Fidelity Realty Corp \$ 50.00THE SUM OF Fifty dollars and no/100 100 DOLLARSON ACCOUNT OF Balancefrom R.A. to S-3 14 of lot no 18
Edsall's subdivision.AUTHORIZED SIGNATURE R. Casabedo



PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We ROBERT G. BROWN

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an R-A District to a/an R-3 District the property described as follows:

Part of Lot Number 18 of Edsall's Subdivision of LaGro Reserve in Township 30 North, Range 12 East, Allen County, Indiana, by metes and bounds described as follows, to wit: Commencing on the east line of said lot at a point 99.4 feet north of its intersection by the North line, produced eastward, of Lot Number 1 of Washington Place Addition as recorded in Plat Book 15, page 134, in the office of the Recorder of said County; thence north on the east line of said Lot Number 18, a distance of 204.07 feet to the point of its intersection by the center line of the public highway known as the Upper Huntington Road; thence southwesterly on the center line of said highway, 287.0 feet; thence south and parallel to the east line of said Lot Number 18 a distance of 140 feet; thence northeasterly to the point of beginning; subject to the part thereof occupied by the U.S. Highway #24 and also subject to a five (5) foot easement along the west line of said described tract for the purpose of utility lines above ground and sewer for drainage.

(Legal Description)

W.H.A. & F.M. Jones 10-2-51 487 33

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Bying on Contract

Robert G. Brown

1116 Lantern Lane

Robert G. Brown

Fort Wayne, Indiana

(Name)

(Address)

(Signature)

Legal Description Checked By: _____

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Thomas M. Gallmeyer
(Name)

Indiana Bank Building
(Address)

219/422-9454
(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

CERTIFICATE OF SURVEY

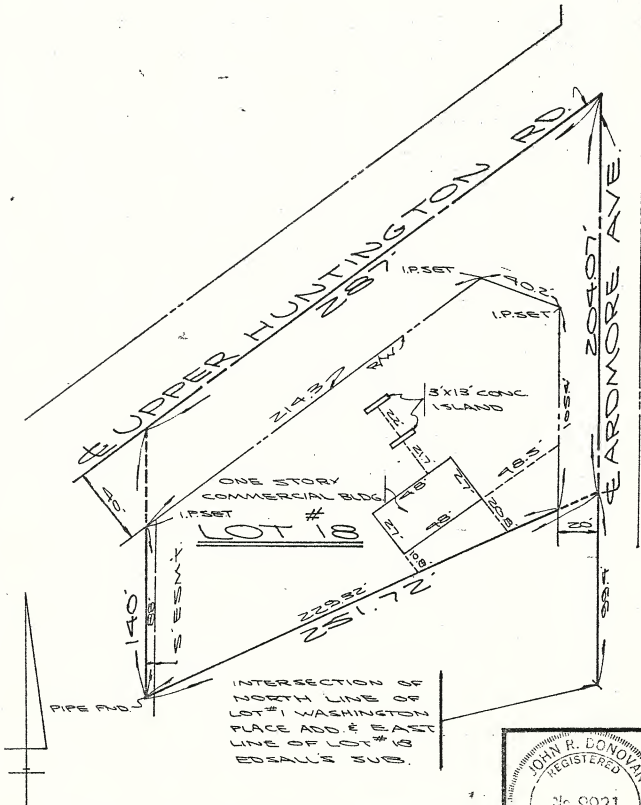
OFFICE OF:

JOHN R. DONOVAN
 REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
 REGISTERED LAND SURVEYOR No. 9921 INDIANA
 FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

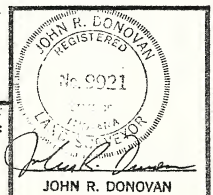
Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit:



JOB FOR: BROWN-GALLMEYER

1/2 50
 11-20-73



CERTIFICATE OF SURVEY

OFFICE OF:

JOHN R. DONOVAN
REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA
REGISTERED LAND SURVEYOR No. 9921 INDIANA
FORT WAYNE, INDIANA

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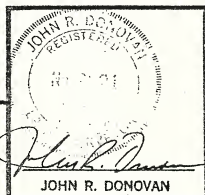
Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, Allen County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Part of Lot Number 18 of Edsall's Subdivision of LaGro Reserve in Township 30 North, Range 12 East, Allen County, Indiana, by metes and bounds described as follows:

Commencing on the east line of said lot at a point 99.4 feet north of its intersection by the North line, produced eastward, of Lot Number 1 of Washington Place Addition as recorded in Plat Book 15, page 134, in the Office of the Recorder of said County; thence north on the east line of said Lot Number 18, a distance of 204.07 feet to the point of its intersection by the centerline of the public highway known as the Upper Huntington Road; thence southwesterly on the centerline of said highway, 287.0 feet; thence south and parallel to the east line of said Lot Number 18, a distance of 140 feet; thence northeasterly to the point of beginning, subject to the part thereof occupied by the U.S. Highway No. 24 and also subject to a five (5) foot easement along the west line of said described tract for the purpose of utility lines above ground and sewer for drainage.

JOB FOR: BROWN - GALLMEYER

11-20-73



LAW OFFICES

ROTHBERG, GALLMEYER, FRUECHTENICHT & LOGAN

SOL ROTHBERG
THOMAS A. GALLMEYER
GEORGE E. FRUECHTENICHT
THOMAS D. LOGAN
PHILLIP E. GUTMAN
JOHN H. HEINEY
VERN E. SHELDON

DONALD M. AIKMAN
MARTIN T. FLETCHER
DAVID A. TRAVELSTEAD
RICHARD D. ROBINSON
THOMAS M. GALLMEYER
RICHARD E. FOX

AREA CODE 219
TELEPHONE 422-9484

INDIANA BANK BUILDING
FORT WAYNE, INDIANA
46802

April 5, 1974

Mr. Samuel J. Talarico
1912 East State Boulevard
Fort Wayne, Indiana 46805

RE: Rezoning Petition Z-73-12-10:
Southwest Corner of Ardmore
Road and State Road #24

Dear Mr. Talarico:

Please be advised that the law firm of Rothberg, Gallmeyer, Fruechtenicht & Logan represents Fidelity Realty Corporation, the Petitioner in the above-captioned matter. Fidelity Realty Corporation holds an option to purchase the southwest corner of Ardmore and State Road #24, in Fort Wayne, Indiana. The owner of that corner property is Robert G. Brown.

The captioned real estate is presently zoned "R-A", and situated thereon is an abandoned gasoline station. The present use of this property as a gasoline station is a non-conforming use under an "R-A" zoning classification. The Optionee, Fidelity Realty Corporation, desires to remodel the present structure into a branch savings and loan association to be used by American Federal Savings & Loan Association of Fort Wayne, Indiana. However, before this real estate can be used as a branch savings and loan association, Section 13 of the Fort Wayne Zoning Ordinance provides that an "R-3" zoning classification is required.

On March 18, 1974, Fidelity Realty Corporation presented its petition for rezoning this real estate from an "R-A" to an

Mr. Samuel J. Talarico
April 5, 1974
Page Two

"R-3" zoning classification to the Plan Commission of the City of Fort Wayne. Thereafter, the Plan Commission gave this petition a "do not pass" recommendation. I am sending this letter to explain why you should not accept the Plan Commission's recommendation, but should vote in favor of this petition at the City Council meeting on April 9, 1974.

In short, the reasons you should vote in favor of the above-captioned zoning petition are as follows:

1. The present structure, an abandoned gas station, is a non-conforming use under the present "R-A" zoning classification, and consequently is an obvious detriment to the entire surrounding area.
2. The surrounding areas have a commercial overtone, inasmuch as the Park West Shopping Center is being constructed on the north side of State Road #24, immediately across the street from this location. Moreover, the commercial development in this area makes it impossible for the real estate on the south side of State Road #24 to be used for anything but commercial purposes.
3. The Optionee anticipates no great increase of traffic at this location because a branch of a savings and loan association is not a "fast turnover" business. Thus, no increase in traffic is anticipated.
4. The residential areas situated near this real estates are buffered to the south by a church and to the east by Ardmore Road.
5. A branch savings and loan association, properly constructed and landscaped will be in conformity with all aspects of the surrounding areas, both commercial and residential. It is our belief

ROTHBERG, GALLMEYER, FRUECHTENICHT & LOGAN

Mr. Samuel J. Talarico

April 5, 1974

Page Three


that a branch savings and loan association at this location would be the highest and best use of this corner real estate.

6. The present zoning classification, "R-A", provides for many less desirable uses than a branch savings and loan association, such as: nurseries, tourist homes and multiple family facilities. None of these could possibly conform with the surrounding areas as well as a branch savings and loan association as has been proposed by the Petitioner.

Therefore, the Petitioner, Fidelity Realty Corporation, and the owner, Robert G. Brown, respectfully requests that you vote in favor of this zoning petition.

Sincerely yours,

ROTHBERG, GALLMEYER,
FRUECHTENICHT & LOGAN



Thomas M. Gallmeyer

jat

cc

Mr. Al Zacher

Mr. Michael H. Kast

City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk



To Richard Wanush - City Planner Date 4-5-74
From Charles W. Westerman - City Clerk
Subject Appearance before Common Council - April 9, 1974

COPIES TO:

RE: BILL NO. Z-73-12-10

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. FF1.

Your presence is requested on April 9, 1974, at 7:00 o'clock
P.M., Room 124, by the members of the Common Council and
John Nuckols, Chairman of the Standing Committee of Regulations
in regard to Bill No. Z-73-12-10.

It is also requested that you bring along any material or
information that you may have which will help the Council in
its decision regarding the above bill.

Charlie

DIGEST SHEETTITLE OF ORDINANCE Zoning Map Amendment Ordinance **3-73-12-10**DEPARTMENT REQUESTING ORDINANCE City Plan CommissionSYNOPSIS OF ORDINANCE Preparation of Zoning Map Amendment OrdinancePetition initiated by property owners to rezone property located as follows:Part of Lot Number 18 of Edsall's Subdivision of LaGro Reserve located atthe southwest corner of Upper Huntington Road and Ardmore Avenue.From "RA" to "R3"EFFECT OF PASSAGE Property will change from suburban residential to
multiple family .EFFECT OF NON-PASSAGE Property will remain suburban residential.MONEY INVOLVED (Direct Costs, Expenditures, Savings)ASSIGNED TO COMMITTEE (J.N.) BSG - CUC



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

April 11, 1974

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of April 13 and April 20, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for the
Common Council of Fort Wayne,
Indiana:
Bill No. Z-73-12-12
Bill No. Z-74-01-10
Bill No. Z-73-12-10
Bill No. Z-73-06-11
Bill No. G-74-03-35

Please send us four (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne

Encl: 5

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____

Body number of lines 110

Tail number of lines 2

Total number of lines in notice 112

COMPUTATION OF CHARGES

Notice is hereby given that on the 7th day of April, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-73-10, Z-74-7 Zoning Map Ordinance, to-wit:

BILL No. Z-73-10-10

ZONING MAP ORDINANCE NO. Z-74-74

An ORDINANCE amending the City of Fort Wayne Zoning Map No. FFI-1

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the term of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2033 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. FFI-1 referred to therein, established by Section 1, Article III of said Chapter as amended, are hereby changed accordingly to-wit:

Part of Lot Number 18 of Edsall's Subdivision of LaGrave Reserve in Township 30 North, Range 12 East, Allen County, Indiana, by metes and bounds described as follows, to-wit:

Commencing on the east line of said lot of a point 95.4 feet north of its intersection by the North line, produced eastward of Lot Number 1 of Westington Place Addition as recorded in Plat Book 15, page 134, in the office of the Recorder of said County; thence north on the east line of said Lot Number 18 a distance of 264.0 feet to the point of its intersection by the center line of the public highway known as the Upper Huntington Road; thence southwesterly on the center line of said Highway 287.8 feet; thence south and parallel to the east line of said Lot Number 18 a distance of 140 feet; thence northwesterly to the point of beginning; subject to the lot interest occupied by the City of Fort Wayne No. 24 and also subject into a five foot easement along the west line of said described tract for the purpose of utility lines above ground and sewer for drainage.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

JOHN NUCKOLS, City Clerk.

Read the third time in full and on motion by Nuckols, seconded by Hingor, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight.

Burns, Hingor, Kraus, Maes, Nuckols, D. Schmidt, Slety, Talarico.

Nays: One.

V. Schmidt.

Date: 4-9-74.

CHARLES W. WESTERMAN, City Clerk.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-74-74 on the 7th day of April, 1974.

ATTEST (SEAL)

CHARLES W. WESTERMAN, City Clerk.

SAMUEL J. TALARICO, Presiding Officer.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-74-74 on the 7th day of April, 1974.

ATTEST (SEAL)

CHARLES W. WESTERMAN, City Clerk.

SAMUEL J. TALARICO, Presiding Officer.

Presented by me to the Acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk.

Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

EDWARD G. KAMNIKAR, Mayor.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of zoning Map Ordinance No. Z-74-74 passed by the Common Council on the 7th day of April, 1974, and that said Ordinance was duly signed and approved by the City Controller on the 11th day of April, 1974, and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 11th day of April, 1974.

CHARLES W. WESTERMAN, City Clerk.

_____ columns wide equals 112 equivalent lines at .288¢ its per line \$ 32.26

charge for notices containing rule or tabular work (50 per cent of above _____

extra proofs of publication (50 cents for each proof in excess of two) 1.00

TOTAL AMOUNT OF CLAIM \$ 33.26

NG COST

single column 11 ems Size of type 5½ point

insertions 2 Size of quad upon which type is cast 5½

and penalties of Ch. 89, Acts 1967,

the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla De Wald

Title _____ CLERK

_____, 19 74

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
Allen County

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is _____ CLERK _____ of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA town _____ in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S., the dates of publication being as follows:
4/13-20/74

Subscribed and sworn to before me this 22nd day of April 19 74

My commission expires March 11, 1978

Arvilla De Wald

Edith Stapleton
Notary Public

4-13.

Fort Wayne Common Council
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

110

2

112

COMPUTATION OF CHARGES

112 lines, 1 columns wide equals 112 equivalent lines at .2884 cents per line

32.26

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

33.26

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date April 22, 1974

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows: 4/13-20/74

Subscribed and sworn to before me this 22nd day of April 1974

My commission expires March 11, 1978

Notary Public

COPY OF
MENT HERE

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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COMPUTATION OF CHARGES

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\$ 32.26

Large for notices containing rule or tabular work (50 per cent of above

a proofs of publication (50 cents for each proof in excess of two)

2.00

L AMOUNT OF CLAIM

\$ 33.26

COST

column 11 ems

Size of type 5½ point

ertions. 2

Size of quad upon which type is cast 5½

and penalties of Ch. 89, Acts 1967,

negotiating account is just and correct, that the amount claimed is legally due, after allowing all just the same has been paid.

19 74

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken

who, being duly sworn, says that, S/he is Clerk

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

time, the dates of publication being

4/13-20/74

Subscribed and sworn to before me this 22nd day of April 1974

Notary Public

My commission expires March 11, 1978

Notice is hereby given that on the 9th day of April, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Zoning Map Ordinance, Bill No. Z-73-12-10, to-wit:

BILL NO. Z-73-12-10
ZONING MAP ORDINANCE
NO. Z-64-74
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF-1.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 268 and amendments thereto, and the symbols of the City of Fort Wayne Zoning Map No. FF-1 referred to therein, established by Section 9, Article II of said Chapter as amended, are hereby changed accordingly, to-wit:

Part of Lot Number 18 of Edsall's Sub-division of LaGrange Reserve in Township 30 North, Range 12 East, Allen County, Indiana, by metes and bounds described as follows, to-wit:

Commencing on the east line of said lot at a point 99.4 feet north of its intersection by the North line, produced eastward, of Lot Number 1 of Washington Place Addition as recorded in Plat Book 15, page 134, in the office of the Recorder of said County; thence north on the east line of said Lot Number 18, a distance of 204.07 feet to the point of intersection by the center line of the public highway known as the Upper Huntington Road; thence southwesterly on the center line of said highway, 257.9 feet; thence south and parallel to the east line of said Lot Number 18 a distance of 140 feet; thence northeasterly to the point of beginning, subject to the part thereof occupied by the U. S. Highway No. 24 and also subject to a five (5) foot easement along the west line of said described tract for the purpose of utility lines above ground and sewer for drainage.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols, Councilman, Read the third time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Eight.
Barns, Hinga, Krus, Moss, Nuckols, D. Schmitt, Siler, Talarico.
Mayor: One.
V. Schmidt.
Date: 4-4-74.

Charles W. Westernman, City Clerk, Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-64-74 on the 9th day of April, 1974.

ATTEST: Charles W. Westernman, City Clerk (SEAL)

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-64-74 on the 9th day of April, 1974.

ATTEST: Charles W. Westernman, City Clerk (SEAL)

Presented by me to the Acting Mayor, City Controller of the City of Fort Wayne, Indiana, on the 10th day of April, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westernman, City Clerk, Approved and signed by me this 11th day of April, 1974, at the hour of 9:30 o'clock A.M., E.S.T.

Edward G. Kamnikar, Mayor, I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-64-74, passed by the Common Council on the 9th day of April, 1974, and that said Ordinance was duly signed and approved by the City Controller on the 11th day of April, 1974, and now remains on file and on record in my office.

Witness my hand, and the official seal of the City of Fort Wayne, Indiana, this 11th day of April, 1974.

CHARLES W. WESTERMAN
City Clerk

Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____

Body number of lines 110

Tail number of lines 2

Total number of lines in notice 112

COMPUTATION OF CHARGES

112 lines, 1 columns wide equals 112 equivalent lines at .288¢ cents per line \$ 32.26

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 2.00

TOTAL AMOUNT OF CLAIM \$ 33.26

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5½ point

Number of insertions 2 Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date April 22, 1974

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County

Personally appeared before me, a notary public in and for said county and state, the undersigned V. E. Gerken who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time 8 the dates of publication being as follows:

4/12-20/74

Subscribed and sworn to before me this 22nd day of April 19 74

V. E. Gerken

Notary Public

My commission expires March 11, 1978

March 11, 1978

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